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LAP6 Rec'd PCT/PTO 02 OCT 2006

Attorney Docket No. BHC 03 1002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

National Stage in the U.S. of International Application No.: PCT/EP04/11100

International Filing Date: 10/05/04

U.S. Application No.: 10/575,026

First Named Inventor: Meyer-Almes, et al.

Title: DIRECT OBSERVATION OF MOLECULAR MODIFICATIONS IN BIOLOGICAL TEST SYSTEMS BY
MEASURING FLUORESCENCE LIFETIME

CERTIFICATION OF MAILING UNDER 37 C.F.R. 1.8(a)

I hereby certify that this correspondence and any papers referred to as attached are being deposited, on the date shown below, with the United States Postal Service, with sufficient postage, as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: **SEP 21 2006**

Susan M. Pellegrino
Susan M. Pellegrino

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS
UNDER 35 U.S.C. 371

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

This replies to the Notification of Missing Requirements under 35 U.S.C. 371 (Form PCT/DO/EO/905) mailed to Applicants on August 21, 2006. A copy of Form PCT/DO/EO/905 is enclosed.

DECLARATION OR OATH

No declaration or oath was filed. Enclosed is the original declaration or oath for this application (35 U.S.C. 371 (c)(4)).

COMPLETION FEES

Surcharge fee for late filing of original declaration or oath (37 C.F.R. 1.492(e)) \$130.00.

10/06/2006 GFREY1 00000063 133372 10575026

METHOD OF PAYMENT

01 FC:1617

130.00 DA The Commissioner is hereby authorized to charge Deposit Account No. 13-3372 in the amount of \$130.00 for the matters indicated above. The Commissioner is also authorized to charge any additional fees, any underpayment of fees, and credit any overpayment to the above deposit account. A duplicate of this request is attached.

Date: **SEP 21 2006**

Bayer Pharmaceuticals Corporation
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West Haven, CT 06516-4175
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Respectfully submitted,

Susan M. Pellegrino
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Attorney for Applicants
Reg. No. 48,972

RECEIVED
SEP 06 2006



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
|-----------------------------|-------------------------|------------------|
| 10/575,026 | Frans-Josef Meyer-Almes | BHC 03 1002 |

INTERNATIONAL APPLICATION NO.

PCT/EP04/11100

I.A. FILING DATE

10/05/2004

PRIORITY DATE

10/18/2003

35969

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CONFIRMATION NO. 5952

371 FORMALITIES LETTER



OC000000020118021

Date Mailed: 08/21/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 04/07/2006
- English Translation of the IA filed on 04/07/2006
- Copy of the International Search Report filed on 04/07/2006
- Preliminary Amendments filed on 04/07/2006
- Information Disclosure Statements filed on 04/07/2006
- Request for Immediate Examination filed on 04/07/2006
- Copy of references cited in ISR filed on 04/07/2006
- U.S. Basic National Fees filed on 04/07/2006
- Assignment filed on 04/07/2006
- Priority Documents filed on 04/07/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

MAMIE P PERSON

Telephone: (703) 308-9140 EXT 227

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/575,026 | PCT/EP04/11100 | BHC 03 1002 |